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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/881,411

06/14/2001

Brawnski Armstrong

14917.0914USC2/MS323349.0

8832

27488

7590

06/24/2008

MERCHANT & GOULD (MICROSOFT)

P.O. BOX 2903

MINNEAPOLIS, MN 55402-0903

EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

06/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/881,411	<b>Applicant(s)</b> ARMSTRONG ET AL.	
	<b>Examiner</b> Salad Abdullahi	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35,37-61 and 63-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35,37-61 and 63-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/11/2008</u> .   | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/11/2008 has been entered.

2. Applicant's arguments with respect to claims 1-35, 37-61 and 63-68 have been fully considered but are moot in view of new grounds of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-21, 23-35, 37-61 and 63-68 are rejected under 35 U.S.C. 102(e) as being anticipated by England et al., U.S. Patent No. 6,144,991 [hereinafter England] in view of Smiga et al., U.S. Patent Application Publication No. 2002/0019825[hereinafter Smiga] and further in view of Marquette et al., U.S. Patent No. 6,499,053[hereinafter Marquette].

As per claim 1, England discloses a system for structuring content within a message and transmitting the structured message over a computer network in a real time chat environment, comprising:

a system administration computing system having a system management program (system 504, having session program 1302, 1306) with a real time chat interface for enabling a plurality of users to communicate with one other in a plurality of different real chat channels over the computer network (the Guide or system administrator) (see fig. 5, and col. 11, lines 42-60);

a second computing system (client 508, 1208) having a network interface program (GUI, session 1) with a real time chat interface (frame 908, 910) , wherein the network interface program accepts message content, establishes a real time chat interface with the system management program and interacts with the system management program to structure the content within the message and transmit the structured message over at least one of the channels of the computer network (see fig. 9 and col. 12, line 30 to col. 13, line 6).

England is silent regarding: wherein the network interface program accepts message content, comprising text and other content entered by one of the plurality of users, and

structures the message content in a specific format based on the fields associated with text message.

Smiga disclose METHOD AND APPARATUS FOR GROUP ACTION PROCESSING BETWEEN USERS OF A COLLABORATION SYSTEM including wherein the network interface program accepts message content, comprising text and other content entered by one of the plurality of users, and structures the message content in a specific format based on the fields associated with text message (see fig. 2 and paragraph 0301).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Smiga into the system of England thus enabling plurality of user with different contents to communicate each other.

England and Smiga are silent regarding: a channel manager configured to allow an end user to manage the plurality of real time chat channels, wherein the channel manager being configured to allow the end user to manage the plurality of real time chat channels comprises the channel manager being configured to allow the end user to review the plurality of real time chat channels and create additional real time chat channels.

Marquette discloses a chat system including channel manager (a chat server) and a plurality of chat clients (end user systems) in a network that may be bandwidth constrained. Each chat client is configurable, in response to instructions from the chat server, to operate in either a master mode or a slave mode. In the master mode (i.e., when the end user system is configured to manage plurality of chat channels), a chat client (end user system ) is capable of initiating a chat session, that is adding members, create additional channel) (see figs. 1 and 2 and col. 3, lines 33-67). Therefore, it would

have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Marquette into the system of England and Smiga thus enabling end user with bandwidth constrain to manage chat channels, thus enabling better utilization of network bandwidth.

As per claim 2-21 and 23, England discloses the message content structuring and transmission system of claim 1, wherein the second computing system is an end user computing system (508) and the network interface program is an end user interface program (i.e., client side component 904) (see col. 30, lines 35-67).

As per claims 18-20, and 27 England discloses the message content structuring and transmission system of claim 10, wherein the end user interface program generates at least one user interface message alert for a real time chat channel (see col. 31, lines 40-53) .

As per claim 24, England discloses the message content structuring and transmission system of claim 1, further comprising a third computing system (piper server 502 having a network interface program with a real time chat interface for communicating over the computer network (see fig. 5, and col. 11, lines 42-60).

As per claim 25, England discloses the message content structuring and transmission system of claim 24, wherein the second computing system transmits structured

messages directly to the third computing system (see fig. 9 and col. 12, line 30 to col. 13, line 6).

As per claim 26 England discloses the message content structuring and transmission system of claim 1, wherein the second computing system is an application computing system having an application program and the network interface program is a network application management program (see fig. 5, and col. 11, lines 42-60).

5. Claims 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over England and Smiga in view of Cave et al., U.S. Patent No. 6,404,746[hereinafter Cave]. As per claim 22, England and Smiga discloses substantial features of the claimed invention as discussed above.

England and Smiga is silent regarding wherein the system management program converts synchronous message content to asynchronous message content for storage. Cave discloses a communications system including a management gateway system, which converts synchronous message content to asynchronous message content for storage (see col. 6, Lines 10-22 and col. 10, 25-42). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Cave into the system of England and Smiga because the advantage of converting synchronous message content to asynchronous message content for storage is that provides enhanced multimedia communication.

6. As per claim 28-68, the claims include analogous to features in claims 1-27, thus claims 28-68 are rejected same rational as claims 1-27.

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Salad Abdullahi/

Primary Examiner, Art Unit 2157